

STATEMENT

DATE 16/5/05 075585

10 Diligenciar ordenes.

TERMS

2

IN ACCOUNT WITH

1435-12

①	Jesús Rivera.
	Carolina.

35

② Ivelisse Marquez.
Torre Aux. Museo.

35-

70

Redwood



SONIC DELIVERY SERVICE

Messenger Service • Cel. 787-579-1950

Cromer Gpca

Client No. 1114351

Matter No. 1101121

☐ One Way ☒ Round Trip
☐ Multiple Trips ☐ Pick Up

Client

SUA

Charge \$

70-

Received from:

MCS

Date

5/16/05

☐ Envelope ☐ Package ☐ Boxes ☒ Legal Documents
☐ Bank Deposit ☐ Post Office ☐ Others ☐ Blue Prints

Address to:

Diligenciar ① Ave. Monserrate - Caroline

Received by:

② Tare Auxilio Intero - Hato Rey

Ivelisse Marquez 23/5/05

Issued by the
UNITED STATES DISTRICT COURT
For the District of Puerto Rico

NELSON E. VELÁZQUEZ FERNÁNDEZ AND JOSÉ
RIVERA ROSADO

Plaintiffs

v.

NCE FOOD, INC., METROPOLITAN FOOD
SERVICES, INC. and INSURANCE COMPANIES
"A" through "J"

Defendants

TO: Dra. Jessica Rosa
Monserrate Ave.
Carolina, Puerto Rico
Tel 787-768-1460

SUBPOENA DUCES TECUM
IN A CIVIL CASE

CASE NUMBER: 04-2241 (JP) 2:56
05 MAY 23 PM

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects): *Any and all documents and records related to Medical, psychiatric and/or psychological records or any other documents related to the present and past physical, mental and/or emotional condition of Mr. Nelson Velázquez, (SS#584-98-8365), including but not limited to any and all documents containing a diagnosis of his physical, mental and/or emotional condition; any and all documents containing a prognosis of his physical, mental and/or emotional condition.*

PLACE

Schuster Usera & Aguiló LLP
MCS Plaza, Suite 400, Ponce de León Avenue 255
Hato Rey, Puerto Rico 00917

DATE AND TIME

May 31, 2005
9:30 a.m.

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY OR PLAINTIFF OR DEFENDANT)

Maria Santiago Ramos
Maria Santiago, Esq. (Attorney for Defendant)

DATE

5-16-05

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Schuster Usera & Aguiló LLP, PO Box 363128, San Juan, P.R. 00936-3128 Telephone Number: (787) 765-4646

(See Rule 45. Federal Rules of Civil Procedure, Parts C & D on Reverse)
action is pending in district other than district of issuance, state district under case number.

(Rev 1/94) Subpoena in a civil case

19/5/05	PROOF OF SERVICE	Carolina
DATE	PLACE	
JESY Rivera	a la mano	
JESY ON (PRINT NAME)	MANNER OF SERVICE	
Redu Home b	explazador	
JESY BY (PRINT NAME)	TITLE	

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Signed on 19/5/05
DATE


SIGNATURE OF SERVER

Luis P. Matos H.
ADDRESS OF SERVER

Vega Alta PR

Rule 45, Federal Rules of Civil Procedure, Parts C & D:
PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to such subpoena. The court on behalf of which the subpoena is issued shall enforce this duty and impose upon the party in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents, tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying within 14 days after service of the subpoena or before a time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying for any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(I) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance of production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce shall produce them as they are kept in the usual course of

Issued by the
UNITED STATES DISTRICT COURT
for the District of Puerto Rico

NELSON E. VELÁZQUEZ FERNÁNDEZ AND
JOSÉ RIVERA ROSADO

Plaintiffs

v.

NCE FOOD, INC., METROPOLITAN FOOD
SERVICES, INC. and INSURANCE
COMPANIES "A" through "J"

Defendants

TO: Dr. Pedro del Valle de Tomas
Torre del Auxilio Mutuo Piso 7
Hato Rey, Puerto Rico

SUBPOENA DUCES TECUM
IN A CIVIL CASE

CASE NUMBER:¹ 04-2241-(JP)

05 MAY 23 PM 2:57

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects): *Any and all documents and records related to Medical, psychiatric and/or psychological records or any other documents related to the present and past physical, mental and/or emotional condition of Mr. Nelson Velázquez, (SS#584-98-8365), including but not limited to any and all documents containing a diagnosis of his physical, mental and/or emotional condition; any and all documents containing a prognosis of his physical, mental and/or emotional condition.*

PLACE

Schuster Usera & Aguiló LLP
MCS Plaza, Suite 400, Ponce de León Avenue 255
Hato Rey, Puerto Rico 00917

DATE AND TIME

May 31, 2005
9:30 a.m.

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY OR PLAINTIFF OR DEFENDANT)

Maria Santiago Ramos
Maria Santiago, Esq. (Attorney for Defendant)

DATE

5-16-05

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Schuster Usera & Aguiló LLP, PO Box 363128, San Juan, P.R. 00936-3128
Telephone Number: (787) 765-4646

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on Reverse)

¹ If action is pending in district other than district of issuance, state district under case number.

(Rev 1/94) Subpoena in a civil case

23/5/05
DATE

PROOF OF SERVICE
PLACE

San Juan

7ED Ivelisse Marpez

a la mano

7ED ON (PRINT NAME)

MANNER OF SERVICE

Pedro Horned

emplazador


7ED BY (PRINT NAME)

TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

dated on 23/5/05
DATE


SIGNATURE OF SERVER

Luiz P. Matos St.
ADDRESS OF SERVER

Pega Alta PR.

45, Federal Rules of Civil Procedure, Parts C & D:
PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises shall not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying for any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(I) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(3)

(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged information, other than matters that are not exception or waiver lies, or

(iv) subjects a person to undue burden.

(B) If a subpoena (I) requires disclosure of a trade secret or other confidential research, development, commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the courts may order appearance of production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce shall produce them as they are kept in the usual course of business or shall organize and label them to correspond to the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.